

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHEASTERN DIVISION

United States of America,)	
)	
Plaintiff,)	
)	
vs.)	Criminal Nos. 2:99-cr-53
)	and 2:02-cr-89
)	
Kyle L. Redfox,)	
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

On May 1, 2007, the supervising probation officer filed a petition alleging a violation of supervised release (doc. #30). As provided in 18 U.S.C. § 3401(i), the Court designated the Honorable Alice R. Senechal, United States Magistrate Judge, to conduct hearings and submit proposed findings of fact and recommendations on the matter. A hearing before the Magistrate Judge was held on May 29, 2007.


Before the Court is a Report and Recommendation from the Magistrate Judge, recommending this Court find Defendant Kyle Redfox violated a special condition of his supervised release (doc. #38). Neither party objects to the Report and Recommendation. Upon review of these items and the entire file, the Court finds the Magistrate Judge's Recommendations correct and hereby adopts the Report and Recommendation. The Court thus **FINDS** that a violation of supervised release has occurred as alleged in the petition.

Based upon the Magistrate Judge's Recommendations, **IT IS ORDERED** that Mr. Redfox's supervised release continue as previously imposed. All previously imposed standard and special conditions of supervised release remain in effect, with these additional conditions:

1. The Defendant shall reside at the North Central Corrections and Rehabilitation Center in Rugby for a period of 90 days. During that time the Defendant shall participate in chemical dependency treatment. He shall comply with all of the rules of the placement facility and treatment provider. He shall also participate in anger management counseling or similar counseling as well as any parenting classes that may be offered. The Defendant shall also submit to a psychological evaluation. No passes will be allowed.
2. The Defendant shall submit his person, residence, workplace, vehicle, computer, and/or possessions to a search conducted by a United States Probation Officer based upon evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation, additional criminal charges, and/or arrest. The Defendant shall notify any other coresidents that the premises may be subject to searches pursuant to this condition.
3. The Defendant will enter a halfway house or similar facility, at the discretion of the supervising probation officer, for up to six months in order for the Defendant to develop a meaningful release plan, gain full time employment and complete any anger management or psychological evaluations or counseling, which have not been completed at other facilities.

IT IS SO ORDERED.

Dated this 8th day of June, 2007.


RODNEY S. WEBB, District Judge
United States District Court